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FOR IMMEDIATE RELEASE

Language rights as interpreted by the courts in Canada

The Commissioner of Official Languages, Dr. Dyane Adam, released a report today that summarizes and analyzes the major court decisions on language rights in Canada from January 1999 to December 2000. This report was made public during the symposium on school rights organized by the Canadian Centre for Linguistic Rights and the Association des juristes d'expression française de l'Ontario (AJEFO).

The diversity of issues reviewed in this report, ranging from the important area of minority language education to the use of official languages in both the criminal trial process and civil proceedings before federal and provincial courts, to the language of work in federal institutions and the provision of services by both federal and provincial governments, demonstrates the important role our courts play in ensuring that language rights are properly implemented.

Over the past two years, the Supreme Court of Canada has released two landmark decisions in the area of language rights in *R.* v. *Beaulac* (use of official languages in criminal proceedings) and in the *Arsenault-Cameron* v. *Prince Edward Island* case (education rights). Dr. Adam notes that these decisions confirm a new, broader orientation in the interpretation of official language rights in Canada. The *Beaulac* decision, in particular, establishes the general rule that language rights must, in all cases, be broadly interpreted in a manner consistent with the preservation and development of official language communities in Canada.

The Commissioner notes that the courts have played a fundamental role in the implementation of linguistic duality, but those court proceedings were very time consuming, expensive and often demanded an exhausting degree of solidarity from the official language communities involved. "I hope that these recent decisions will give governments the necessary incentive to more fully respect the language rights of Anglophone and Francophone minority communities and to more actively foster their growth and development. A language right becomes illusory in the absence of positive government action designed to facilitate its use."

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